

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

NOV - 7 2012

CLERK, U.S. DISTRICT COURT

By

Deputy

UNITED STATES OF AMERICA

§

§

v.

§

No. 4:12-CR-181-Y

§

DAX EVAN PICKETT (01)

§

FACTUAL RESUME

INDICTMENT: Count One: Conspiracy to Possess a Controlled Substance with
intent to Distribute (methamphetamine)
(in violation of 21 U.S.C. §§ 846; 841(a)(1) and (b)(1)(B))

PENALTY: \$5,000,000 fine - not less than 5 years imprisonment and not more than 40
years imprisonment, or both such fine and imprisonment, plus a term of
supervised release of not less than 4 years.

MAXIMUM PENALTY:

\$5,000,000 fine and not less than five (5) years imprisonment nor more than
forty (40) years imprisonment, plus a term of supervised release of not less
than 4 years. If the defendant violates any condition of supervised release,
the Court may revoke such term of supervised release and require the
defendant to serve an additional period of confinement. Further the Court
must impose a Mandatory Special Assessment of \$100.00.

ELEMENTS OF THE OFFENSE:

The essential elements which must be proved beyond a reasonable doubt in order to
establish the offenses charged in Count One of the Indictment are as follows:

First: That two or more persons, directly or indirectly, reached an agreement to
distribute or possess with intent to distribute a controlled substance, as
charged in the indictment;

Second: That the defendant knew of the unlawful purpose of the agreement;

Third: That the defendant joined in the agreement willfully, that is, with the intent to further its unlawful purpose; and

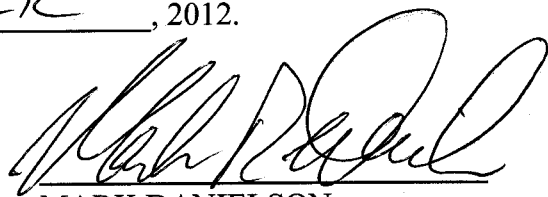
Fourth: That the overall scope of the conspiracy involved at least 50 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

STIPULATED FACTS. The Defendant stipulates that the following facts are true and correct, and waives any objection under Federal Rule of Evidence 410 to the use of these Stipulated Facts against him at any proceeding:

On July 13, 2012, in Fort Worth, Texas, DEA agents/officers arrested an individual with approximately 16 ounces of methamphetamine, hereafter referred to as a cooperating defendant (CD). Before July 13, 2012, the CD received the 16 ounces of methamphetamine from Dax Pickett. On July 20, 2012, the CD, acting at the direction of DEA agents/officers, made numerous recorded telephone calls to Dax Pickett negotiating for the delivery of another pound of methamphetamine. Specifically, Dax Pickett told the CD that he had already arranged to receive one pound of methamphetamine from his source of supply, and that he would try to get one additional pound of methamphetamine to give to the CD. Therefore, beginning on or before July 13, 2012, and continuing until on or about July 20, 2012, Dax Evan Pickett conspired with other persons, both known and unknown, to possess with intent to distribute more than 50 grams of a mixture and substance containing a detectable amount of methamphetamine.

SIGNED this 19TH day of OCTOBER, 2012.


DAX EVAN PICKETT
Defendant


MARK DANIELSON
Counsel for Defendant